

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
Shannon Lori Lee,) CASE NO.: 16-56291-PMB
)
)
)
DEBTOR.)

MOTION TO DISMISS

COMES NOW Melissa J. Davey, Trustee in the above styled matter, and respectfully shows the Court as follows:

1. Debtor has filed a petition for relief under Chapter 13.
2. Debtor has failed to comply with this Court's Order requiring regular monthly Plan payments. Debtor should have paid \$14,680.00. Debtor has paid a total of \$9,800.00, causing a delinquency of \$4,880.00. Debtor's Plan violates 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6).
3. In addition, Debtor failed to remit the 2016 and 2017 income tax returns, or any resulting refund to the Trustee. Accordingly, Debtor is in material default of the terms of the confirmed Plan and has caused unreasonable delay that is prejudicial to the creditors. The case should be dismissed. 11 U.S.C. §§ 1307(c)(1) and 1307 (c)(6).

WHEREFORE, Trustee respectfully requests this case be dismissed.

Dated: June 18, 2018

Prepared and Presented by:

/s/

Jason L. Rogers
Attorney for Chapter 13 Trustee
GA Bar No. 142575
260 Peachtree Street, NW, Suite 200
Atlanta, GA 30303
(678) 510-1444 Phone
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NOTICE OF HEARING ON MOTION TO DISMISS

A hearing on the Chapter 13 Trustee's Motion to Dismiss will be held July 19, 2018 at 2:00 pm in the Richard B. Russell Building, 75 Ted Turner Drive S.W. Courtroom 1202, Atlanta, GA 30303-3367.

All written objections shall state the grounds therefor and shall be filed with the Clerk, United States Bankruptcy Court: Richard B. Russell Building, 75 Ted Turner Drive S.W., Room 1340, Atlanta, GA 30303.

A copy of any objection should be furnished to the Chapter 13 Trustee:
Melissa J. Davey, Standing Chapter 13 Trustee, 260 Peachtree St NW, Suite 200, Atlanta, GA 30303.

Prepared and Presented by:

Dated: June 18, 2018

/s/

Jason L. Rogers
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CERTIFICATE OF SERVICE

This is to certify that I have this day served:

DEBTOR(S):

SHANNON LORI LEE
PO BOX 533
KENNESAW, GA 30156

DEBTOR(S) ATTORNEY:

THE SLOMKA LAW FIRM, PC
OVERLOOK III - SUITE 1700
2859 PACES FERRY ROAD, SE
ATLANTA, GA 30309

with a copy of the foregoing Motion to Dismiss together with the Notice of Hearing on the Motion to

Dismiss by depositing in the United States Mail a copy of same in a properly addressed envelope

with adequate postage thereon.

June 18, 2018

Prepared and Presented by:

/s/

Jason L. Rogers
Attorney for Chapter 13 Trustee
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